IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PIL WRIT PETITION NO. 1271 OF 2005

1. Gen.Arun Kumar Vaidya Nagar Rahiwasi Sangh & Anr.] .. Petitioners

Versus

1. The State of Maharashtra & 9 ors.] .. Respondents

Mr. Milind Vasudeo i/b Mr. M.G. Gawde for the petitioners.

Mr. R.M. Sawant, Govt. Pleader for respondent No.1.

Mrs. S. Ajith Kumar for respondent No.7.

Mr. Abhijeet Wagh i/b M/s. Uttangale & Co. for respondent No.8.

Mr. R.V. Govilkar for respondent No.12.

CORAM: R.M. LODHA &
NARESH H. PATIL, JJ.

DATED: 27TH JULY, 2006

P.C. :

. Subsequent to the filing of the Writ Petition, certain new facts came to the notice of the petitioner and accordingly Chamber Summons No.136 of 2006 has been taken out by the petitioners for amendment in the Writ Petition. The counsel for the petitioners submits that in response to Chamber Summons, the reply has been filed by respondent No.13 and from the said reply, new facts

have emerged that would require further amendment. He submits that instead of having the Writ Petition amended, the petitioners may be permitted to withdraw this Writ Petition with liberty to file fresh Writ Petition incorporating all those facts.

2. The prayer is not opposed by counsel appearing for the respondents.

3. We are satisfied that looking to the nature of the Writ Petition and that it requires comprehensive amendment, it will be in fitness of things if petitioners are permitted to withdraw the Writ Petition with liberty to file fresh Writ Petition and consequently we allow the Writ Petition to be withdrawn with liberty as prayed.

Sd/-
[R.M. LODHA, J.]

Sd/-
[NARESH H. PATIL, J.]